

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

)
DARVETTE SMITH, NATALIE)
HODOROVYCH, ERIN BOX, and BLAKE)
BREZINSKY, individually and on behalf of) Judge John Z. Lee
all others similarly situated,)
Plaintiffs,) Magistrate Judge Cole
) Case No. 1:11-cv-01773
v.)
)
FAMILY VIDEO MOVIE CLUB, INC.,)
)
Defendant.)
)

**UNOPPOSED MOTION TO EXTEND THE DEADLINE TO FILE A MOTION FOR
PRELIMINARY APPROVAL AND RESET STATUS HEARING DATE**

Plaintiffs, Darvette Smith, Natalie Hodorovych, Erin Box, and Blake Brezinsky (“Plaintiffs”), by their attorneys and pursuant to the Court’s order dated April 25, 2017, move for entry of an order extending the deadline to file a motion for preliminary approval and continuing the next status hearing, and in support thereof, state as follows:

1. On April 21, 2017, the parties reported to the Court that on April 20, 2017, they reached an agreement in principle on a proposed settlement that would resolve all claims in this matter. At that time the Parties respectfully requested until June 5, 2017, to prepare and execute a formal settlement agreement and file a motion for preliminary approval, as well as all related settlement papers. The Court granted the parties’ request.

2. Since that time, Plaintiffs’ counsel has continued processing class member records, including approximately 30,000 pages of payroll and time card documents, many of which are in

individual PDF and paper form, to ensure that the class is properly identified and the alleged damages are correctly calculated. Plaintiffs have not completed that process, which has proven more labor intensive and time consuming than initially anticipated. Plaintiffs are confident they will complete their review, and also complete the balance of the settlement papers over the next 14 days, and anticipate being able to file preliminary settlement papers no later than July 10, 2017.

3. Under the circumstances, Plaintiff's request that the Court continue the status hearing currently scheduled for June 8, 2017 at 9:00 a.m. until the hearing date when the motion for preliminary approval is presented.

4. The Parties have conferred and Defendant does not oppose the relief requested.

WHEREFORE, Plaintiffs, Darvette Smith, Natalie Hodorovych, Erin Box and Blake Brezinsky respectfully request that the Court enter an order (1) extending the deadline to file a motion for preliminary approval until July 10, 2017, and (2) continuing the next status hearing to such a date when the motion for preliminary approval is presented.

Dated: June 5, 2017

Respectfully submitted,

By: /s/ Eric H. Gibbs
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

I hereby certify that, on June 5, 2017, I caused the foregoing UNOPPOSED MOTION TO EXTEND THE DEADLINE TO FILE A MOTION FOR PRELIMINARY APPROVAL AND RESET STATUS HEARING DATE to be served on all counsel of record via CM/ECF filer for the U.S. District Court for the Northern District of Illinois.

/s/ Eric H. Gibbs